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REGULAR

NUMBER: 65.134

TITLE: AN ORDINANCE OF THE CITY OF MILPITAS ENACTED AS AN AMENDMENT TO CHAPTER 6, TITLE II OF THE MILPITAS MUNICIPAL CODE TO ADOPT LOCAL AMENDMENTS TO THE ELECTRICAL CODE IN CONJUNCTION WITH STATE ADOPTION OF THE 2004 EDITION OF THE CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24 (CCR, T-24) THAT INCORPORATES: THE NATIONAL ELECTRICAL CODE, 2002 EDITION, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION AND AMENDING THE CALIFORNIA BUILDING STANDARD AS IDENTIFIED HEREIN THROUGH EXPRESSED FINDINGS OF LOCAL NECESSITY

HISTORY: This ordinance was introduced (first reading) at a meeting of the City Council on June 21, 2005, upon motion by Councilmember \_\_\_\_\_ and was adopted (second reading) at a meeting of said Council on July 5, 2005, upon motion by Councilmember \_\_\_\_\_. Said ordinance was duly passed and ordered published in accordance with the law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven T. Mattas, City Attorney

ORDAINING CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

Chapter 6, Title II of the Milpitas Municipal Code is hereby repealed and replaced with the following:

**TITLE II  
CHAPTER 6  
ELECTRICAL CODE**

**SECTION 1    ADOPTION OF THE ELECTRICAL CODE**

- II-6-1.01    The 2004 Edition of the California Electrical Code, California Building Standards Code, known as the California Code of Regulations, Title 24, incorporating the National Electrical Code, 2002 Edition, published by the National Fire Protection Association with the amendments set forth in Section II-6-2.00 is hereby adopted. There is one copy of said code on file in the office of the Chief Building Official for use and examination by the public.

**SECTION 2    AMENDMENTS TO THE 2004 CALIFORNIA ELECTRICAL CODE**

- II-6-2.01    The California Electrical Code, 2004 Edition is amended or changed in the following respects:
- II-6-2.02    Section 230.2 (F) of the California Electrical Code, 2004 Edition, is added to read as follows:
- 230.2 (F) **Underground Service.** All new electrical services shall be underground and installed per Section 230.30, Underground Service-Lateral Conductors.
- II-6-2.03    Sub-section 230.70 (A) of the California Electrical Code, 2004 Edition, is amended to read as follows:
- 230.70 (A) **Location.** The service disconnecting means shall be installed in accordance with Sub-sections 230.70 (A), (1), (2), (3) and (4).
- (1) **Readily Accessible Location.** The service disconnecting means shall be installed at a readily accessible location either inside or outside of a building or structure or inside nearest the point of entrance of the service conductors.
- (2) **Bathrooms.** Service disconnecting means shall not be installed in bathrooms.
- (3) **Remote Control.** Where a remote control sensing device(s) is used to actuate the service disconnecting means, the service disconnecting means shall be located in accordance with Sub-section 230.70 (A)(1).
- (4) **Disconnect Location.** The building main service disconnect and/or disconnects shall be installed on the first floor level of the building.
- II-6-2.04    Section 250.50 (A) of the California Electrical Code, 2004 Edition, is added to read as follows:
- 250.50 (A) **Grounding System in New Buildings.** Grounding electrode systems in all new buildings shall be an electrode encased by at least 50 mm (two inches) of concrete located within and near the bottom of a concrete foundation or footing that is in direct contact with earth. The electrode shall consist of at least 6.0m (20 feet) of one or more steel reinforcing bars or rods, of not less than 13mm (1/2 inch) diameter. The connection side of this concrete-encased electrode shall be located remotely away from the main electrical service equipment.
- II-6-2.05    Section 300.1 of the California Electrical Code, 2004 Edition, is amended by adding Subsection (D) to read as follows:
- 300.1 (D) **Underground Raceways.** All underground raceways shall be provided with an equipment grounding conductor unless indicated elsewhere in this code.

**SECTION 3 REPEAL OF CONFLICTING ORDINANCES**

II-6-3.01 Upon adoption of each new California Electrical Code, the previously adopted California Electrical Code is superseded in its entirety.

**SECTION 4 SEVERABILITY**

II-6-4.01 The City Council declares that, should any provision, section, paragraph, sentence, or word of this amendment be rendered or declared invalid by a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of said chapter hereby adopted shall remain in full force and effect.

**SECTION 5 EFFECTIVE DATE**

II-6-5.01 This ordinance shall become effective on August 5, 2005.